

MELINDA HAAG (CABN 132612)
United States Attorney

MIRANDA KANE (CABN 150630)
Criminal Chief

MICHELLE J. KANE (CABN 210579)
Assistant United States Attorney

1301 Clay Street, Suite 340S
Oakland, California 94612
Tel: (510) 637-6380
Fax: (510) 637-3724
E-Mail: michelle.kane3@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	CR 10-00731 LHK
)	
Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER DOCUMENTING EXCLUSION
v.)	OF TIME UNDER SPEEDY TRIAL ACT
)	FROM JANUARY 11, 2012, TO
HAI MANH HOANG,)	FEBRUARY 15, 2012.
)	
Defendant.)	

The defendant, Hai Manh Hoang, and the government together respectfully stipulate as follows:

1. A status conference in this matter was held on January 11, 2012, at 10:00 a.m.;
2. The parties are conferring over a potential disposition. Counsel for defendant Hoang has requested records related to defendant's mental health treatment at the Santa Clara County Jail and expects to receive those records soon. Counsel for the government and for defendant Hoang will need to review the records before determining how to proceed.

In order to provide time for this review, the parties requested that the Court set the matter for change of plea or status conference on February 15, 2012, at 10:00 a.m. The parties jointly requested that the Court exclude the period of time between January 11, 2012, and February 15,

2012, under the Speedy Trial Act for effective preparation of counsel, taking into account the exercise of due diligence. *See* 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv).

IT IS SO STIPULATED.

Dated: January 12, 2012

/s/

RICHARD POINTER
Counsel for Defendant

Dated: January 12, 2012

MELINDA HAAG
United States Attorney

/s/

MICHELLE J. KANE
Assistant United States Attorney

ORDER

The Court finds that, taking into the account the public interest in the prompt disposition of criminal cases, granting the continuance until February 15, 2012, is necessary for effective preparation of defense counsel. *See* 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv). Given these circumstances, the Court finds that the ends of justice served by excluding the period from January 11, 2012, through February 15, 2012 outweigh the best interest of the public and the defendant in a speedy trial. *Id.* § 3161(h)(7)(A).

Accordingly, and with the consent of the defendant, the Court (1) sets a hearing on February 15, 2012, at 10:00 a.m. and (2) orders that the period from January 11, 2012, through February 15, 2012, be excluded from Speedy Trial Act calculations under 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv).

IT IS SO ORDERED.

Dated: 1/13, 2012



LUCY H. KOH
United States District Judge